

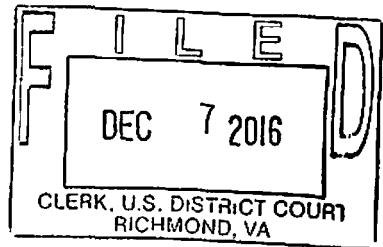
IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA

v.

Criminal No. 2:92CR163

WILLIAM HAZEL



MEMORANDUM OPINION

By Memorandum Opinion and Order entered on November 4, 2002, the Court denied a 28 U.S.C. § 2255 motion filed by William Hazel. On November 21, 2016, the Court received another 28 U.S.C. § 2255 Motion from Hazel. (ECF No. 131.) As explained below, the § 2255 Motion will be dismissed as a successive, unauthorized 28 U.S.C. § 2255 motion.

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a "gatekeeping mechanism." Felker v. Turpin, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, "[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application." 28 U.S.C. § 2244(b)(3)(A).

The United States Court of Appeal for the Fourth Circuit has not authorized this Court to entertain Hazel's successive § 2255 motion. Accordingly, the § 2255 Motion (ECF No. 131) will be dismissed for want of jurisdiction. The Court will deny a certificate of appealability.

The Clerk is directed to send a copy of this Memorandum Opinion to Hazel and counsel for the United States.

Date: December 7, 2016  
Norfolk, Virginia

/s/ REy  
Robert E. Payne  
Senior United States District Judge